

UNITED STATES DISTRICT COURT
for the

Southern District of Georgia
Savannah Division

2008 OCT 24 AM 11:21

United States of America

v.

Ronald Nelson

Date of Previous Judgment: June 20, 2007

(Use Date of Last Amended Judgment if Applicable)

)

)

) Case No: CR407-00046-001

) USM No: 13084-021

) John Grey Hunter

) Defendant's Attorney

M. Barnes

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 12

Amended Offense Level: 12

Criminal History Category: IV

Criminal History Category: IV

Previous Guideline Range: 21 to 27 months

Amended Guideline Range: 21 to 27 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- The reduced sentence is within the amended guideline range.
- The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- Other (explain): _____

III. ADDITIONAL COMMENTS

The defendant's motion is denied because the quantity of cocaine base attributed to him resulted in a base offense level of twelve, which base offense level determination is precluded from a sentence reduction in the crack cocaine retroactive amendment.

Except as provided above, all provisions of the judgment dated June 20, 2007, shall remain in effect.

IT IS SO ORDERED.

Order Date: October 24, 2008

W. Moore

Judge's signature

Effective Date: _____
(if different from order date)

William T. Moore, Jr.
Chief Judge, U.S. District Court

Printed name and title